

## **TITLE 27. UNIFORM MOBILE HOME AND RECREATIONAL COACH.**

### **Sections:**

27.01. Uniform Mobile Home and Recreational Coach.

27.01.010. Title.

27.01.020. Interpretation and Purpose.

27.01.030. Intent.

27.01.040. Definitions.

27.01.050. Location.

27.01.060. Approval.

27.01.070. Application.

27.01.080. Standards and Requirements.

27.23.090. Inspection.

27.23.100. Non-Conforming Units.

27.23.110. Premises.

27.23.120. Utilities.

27.23.130. Guarantees.

27.23.140. Compliance With Other Regulations.

27.23.150. Penalty.

27.23.160. Separability.

27.23.170. Ordinances Repealed.

### **27.01. Uniform Mobile Home and Recreational Coach.**

#### **27.01.010. Title.**

This chapter shall be known and may be cited as the "Mobile Home Ordinance" of Brigham City, Utah.

#### **27.01.020. Interpretation and Purpose.**

In their interpretation and application, the provisions of this chapter shall be held to be the minimum regulations required for the protection of the public health, safety and welfare. To protect the public, among other purposes, such provisions are intended to provide for permanently wholesome community environments, adequate municipal services, and safe streets.

#### **27.01.030. Intent.**

A To permit variety and flexibility in land development for residential purposes by allowing the use of mobile in certain districts within the local jurisdiction.

B. To require that mobile home and recreational coach developments will be of such character as to promote the objectives and purposes of the zoning ordinances; to protect the integrity and characteristics of the districts contiguous to those in which mobile home parks are located; and to protect other land use values contiguous to or near mobile home or recreational coach developments.

#### **27.01.040. Definitions.**

"The Uniform Definitions for Planning and Development Ordinances for Counties and Municipalities", is hereby adopted by reference and included herein.

#### **27.01.050. Location.**

A No occupied mobile home shall be located anywhere within the local jurisdiction except in a licensed mobile home park or mobile home subdivision. Emergency or temporary parking of any unoccupied mobile home outside a licensed mobile home park or mobile home subdivision will be permitted for a period not exceeding twenty-four (24) hours. This does not include mobile home sales areas.

B. Recreational coaches which do not include the facilities necessary to be a mobile home as defined herein shall not be used at any place in the local jurisdiction, at any time, for living quarters except in designated camping areas or recreational coach parks.

C. Recreational coaches which do not include the facilities necessary to be a mobile home as defined

herein shall not be used at any place in the local jurisdiction, at any time, for living quarters except in designated camping areas or recreational coach parks.

D. Exception: Mobile homes may be temporarily installed as living quarters on bona fide farms and ranches, as provided in the zoning ordinance 29.06.090, when a conditional use permit is issued by the Planning Commission and approved by the governing body.

#### **27.01.060. Approval.**

Mobile home parks may be approved by the local governing body in locations permitting such use in the zoning ordinance. Before such approval may be granted, a report to the governing body by the Planning Commission shall find that the proposed development will:

A. Be in keeping with the general character of the district within which the proposed development will be located.

B. Be located on a parcel of land containing not less than ten (10) acres, or on two or more parcels separated by a street or alley only, and totaling ten (10) acres, unless modified by an approved planned unit development plan.

C. Have at least twenty-five (25) spaces completed and ready for occupancy, or an approved schedule of financing, construction and phase completion together with approved security to assure compliance before first occupancy is permitted.

D. Meet all standards and requirements of 27.01.080 of this chapter and all other requirements of applicable ordinances, except where such requirements are modified by approval of a planned unit development plan.

E. Have the written approval of the State Division of Health.

F. Mobile home subdivisions may be approved by the local governing body in locations permitting such use in the zoning ordinance. Before such approval may be granted, a report to the governing body by the Planning Commission shall find that the proposed development will:

1. Be located on a parcel of land containing not less than three (3) acres.

2. Will contain lots with a minimum net area of five thousand (5,000) square feet and a minimum width of fifty (50) feet.

3. Will meet all applicable requirements of the local jurisdiction's subdivision ordinance.

4. Meet all standards and requirements of 27.01.080 of this ordinance and all other requirements of applicable ordinances, except where such requirements are modified by approval of a planned unit development plan.

5. Be organized in a home owners association if required by the Planning Commission.

G. Recreational coach parks may be approved by the local governing body in locations permitting such use in the zoning ordinance. Before such approval may be granted, a report to the governing body by the Planning Commission shall find that the proposed development will:

1. Be in keeping with the general character of the district within which the proposed development will be located.

2. Be located on a parcel of land containing not less than five (5) acres, or be located within a mobile home park, unless modified by a planned unit development plan.

3. Have at least twenty-five (25) spaces completed, or ten (10) spaces if located within a mobile home park, and ready for occupancy or an approved schedule of financing, construction and phase completion together with approved security to assure compliance before first occupancy is permitted.

4. Meet all standards and requirements of 27.01.080 of this ordinance and all other requirements of applicable ordinances, except where such requirements are modified by approval of a planned unit development plan.

5. Have the written approval of the State Division of Health.

H. The Planning Commission shall disapprove any application for mobile home park, recreational coach park or mobile home subdivision, if the developer cannot provide required water supplies or facilities, waste disposal systems, storm drainage facilities, access or improvements; if the developer cannot satisfactorily assure the planned development will be completed in a reasonable period of time; if the Planning Commission or local governing body determines there would be danger of flood, fire or other hazards; or if the proposed development would be of such a character or in such a location that it would

1. Create excessive costs for public services and facilities,

2. Endanger the health or safety of the public.
3. Unreasonably damage or destroy the natural environment.
4. Would cause excessive air or water pollution, or soil erosion or
5. Be inconsistent with any adopted general or specific plan of the area in which the development would be located.

**27.01.070. Application.**

The application for a mobile home park, a recreational coach park or mobile home subdivision permit shall contain the following information:

- A. Name, address, and phone number of the applicant.
- B. Interest of the applicant in the mobile home park or recreational coach park.
- C. Location and legal description of the park.
- D. An overall plan for development of the mobile home park, recreational coach park, or mobile home subdivision prepared by a person or persons qualified to prepare such plans. The plan shall be drawn to a scale no smaller than one (1) inch to fifty (50) feet. At least twelve (12) copies of the plan shall be submitted. The plan shall show:
  1. The area of the tract of land drawn to scale, with dimensions and the approximate total acreage.
  2. The number, location and size of mobile home lots, recreational coach spaces or mobile home subdivisions lots and open spaces shall be clearly designated.
  3. The location and width or size of the roadways, walkways, parking areas, and access to public thoroughfares.
  4. The location of service buildings and all other proposed structures.
  5. The location and size of natural features, wetlands, streams, lakes, drains, wooded areas, and any anticipated change in these features, together with the topography at two (2) foot contour intervals unless otherwise required by the Planning Commission.
  6. The size, location and design of recreational facilities.
  7. Detailed landscaping and utility plan, including location of TV system, fire hydrants, water, sewer, gas, power and telephone lines.
  8. Property ownership is other than applicant.
- E. The applicant for approval of plans for a mobile home park, recreational coach park, or a mobile home subdivision, shall pay to the building inspector at the time of application a checking fee, in addition to building plumbing and electrical permits or any other fee. The checking fee shall be based on the area of property included in the plan and shall be ten (\$10) dollars plus twenty (\$20) dollars for each acre or fraction thereof.
- F. Applications for approval shall be in writing, submitted to the Planning Commission at its regular meeting and shall be granted or denied within thirty (30) days, unless an extension of such time is approved by the applicant. If approved by the Planning Commission, the application and Planning Commission recommendations shall be forwarded to the local governing body within fifteen (15) days.

**27.01.080. Standards and Requirements.**

The development of a mobile home park, recreational coach park or mobile home subdivision shall conform to the following standards and requirements, unless modified by an approved planned unit development plan.

- A. The area shall be in one ownership, or if in several ownerships, the application for approval of the development shall be filed jointly by all the owners of the property included in the plan.
- B. The plans for a mobile home park, recreational coach park, or a mobile home subdivision shall be prepared by a team of competent professionals in planning, engineering, architecture, and landscape architecture. In all cases, it is recommended that professional design and other assistance be obtained early in the program, including, as needed, an urban planner, a geologist or soils engineer, a lawyer, a financial expert, or others. It is the intent of the local jurisdiction that the developer solves his problems before approval is given and construction begins. Determination of qualifications of required professional individuals or firms shall be made by the Planning Commission.
- C. In all mobile home and recreational coach parks and mobile home subdivisions, a strip of land at

least fifteen (15) feet wide surrounding the entire park or subdivision shall be left unoccupied by mobile homes, and shall be planted and maintained in lawn, shrubs, trees, an approved wall or fence, designed to afford privacy to the development.

D. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to insure rapid drainage of water in or adjacent to the development.

E. All storage and solid waste receptacles, outside of the confines of any mobile home, must be housed in a closed structure compatible in design and construction to the mobile homes, and to any service buildings within the developments; all patios, garages, car ports, and other add-ons must be compatible in design and construction with the mobile home. The service buildings shall be constructed in accordance with standard commercial practice and kept in good repair as approved by the building inspector.

F. A security compound for the storage of vehicles, boats and other large items shall be provided equivalent to a minimum of three hundred (300) square feet of paved area per mobile home space in mobile home parks. The Planning Commission may also require a security compound in a mobile home subdivisions, to be maintained by a home owners association.

G. In all mobile home parks and mobile home subdivisions, within forty-five (45) days of occupancy, each mobile home shall be skirted, or if shields are used, they are to be fireproof, well-painted, or otherwise preserved.

H. In mobile home parks, and recreational coach parks, not less than ten (10) percent of the gross land area shall be set aside for the joint use and enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of the ten (10) percent common area required for parks and playgrounds for occupants, provided, however, that in initial stages of development or special smaller developments the minimum area shall be not less than one-half (½) acre or ten (10) percent, whichever is greater.

I. Yard lighting with a minimum of two-tenths (0.2) foot candles of light shall be required for protective yard lighting the full length of all driveways and walkways in mobile home and recreational coach parks.

J. In mobile home and recreational coach parks all areas not covered by mobile homes, hardsurfacing, or buildings, shall be landscaped as approved by the Planning Commission and such landscaping shall be permanently maintained.

K. In mobile home parks and recreational coach parks all off-street parking spaces and driveways shall be hardsurfaced before the adjacent mobile home spaces may be occupied.

L. In mobile home parks and recreational coach parks the roadways shall be designed to accommodate anticipated traffic, including the following standards unless modified by an approved planned unit development plan:

1. One-way traffic: A minimum of fifteen (15) feet in width plus extra width as necessary for maneuvering mobile homes.
2. Two-way traffic: A minimum of thirty (30) feet in width.
3. Entrance roadways: Minimum of thirty-six (36) feet in width.
4. Roadways: All roadways shall be hard-surfaced and bordered by twenty-four (24) inch rolled gutters or an approved equivalent.
5. Sidewalks: Thirty-six (36) inch minimum width sidewalks shall be installed on all main roadways within the development, if required by the Planning Commission.
6. Access: Each mobile home park or subdivision shall have at least two (2) accesses to public streets.

M. In mobile home subdivisions roadway widths shall be as required by Title 25. Subdivisions, except as may be modified by an approved planned unit development plan.

N. In a mobile home park, the number of mobile homes shall be limited to nine (9) units per acre and may be limited to fewer units depending on mobile home size, topography and other factors of the particular site. The mobile homes may be clustered, provided that the total number of units does not exceed the number permitted on one acre, multiplied by the number of acres in the development.

O. In a mobile home park, no mobile home or add-on shall be located closer than twenty (20) feet from the nearest portion of any other mobile home or add-on. All mobile homes and add-ons shall be set back at least ten (10) feet from road curbs or walks. If the tongue of the mobile home remains attached, it shall be set back a minimum of six (6) feet from road curbs or walks. All mobile homes shall set back at least fifteen (15)

feet from any boundary of the mobile home park.

P. Off-street parking shall be provided at the rate of two (2) parking spaces per mobile home space, and each such parking space shall have a minimum width of ten (10) feet and minimum depth of twenty (20) feet. In no case shall the parking space be located further than one hundred (100) feet from the mobile home space it is designed to serve.

Q. One-story bulk storage areas shall be provided within a mobile home park, equivalent to sixty (60) square feet per mobile home space. The area designated for said bulk storage shall be improved, landscaped, and screened in such manner as approved by the Planning Commission.

R. A launderette for convenience of the park occupants but not for the general public, may be included in mobile home parks.

S. In a mobile home park, no mobile home space shall be rented for a period of less than thirty (30) days, and occupancy shall be by written lease. In a mobile home subdivision no mobile home or mobile home lot shall be rented for a period of less than ninety (90) days. Leases shall be made available for inspection by the officials of the local jurisdiction upon demand.

T. An access shall be provided to each mobile home stand for maneuvering mobile homes into position. The access way shall be kept free from trees and other immovable obstructions. Paving under mobile homes will not be required if adequate support is provided. Use of planks steel mats, or other means to support the mobile home during placement shall be allowed so long as the same are removed upon completion of placement.

U. Recreational Coach Parks shall generally be located:

1. Adjacent to or in close proximity to a major traffic artery or highway
2. Near adequate shopping facilities
3. Within or adjacent to a mobile home park.

V. Recreational coach parks shall contain not more than twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development. The remaining land not contained in individual recreational coach spaces, roads or parking, shall be set aside and developed as park, playground, or service areas for the common use and enjoyment of occupants of the park and visitors thereto.

W. No individual space in a recreational coach park shall be used by one individual recreational coach for more than ninety (90) consecutive days, nor shall such space be rented or leased to any one individual for a period longer than ninety (90) days in any one calendar year.

X. Recreational coaches may be stored where permitted, but not used for permanent living quarters. Recreational coaches may be stored, displayed, sold and serviced, but not used for living quarters, in a sales lot in an appropriate zoning district when such use is a permitted or a conditional use.

Y. Recreational coaches may be accommodated in an approved and licensed mobile home park, provided that:

1. The recreational coach park portion of the development is separated by barriers, screens, or otherwise from the area of mobile homes.
2. The recreational coach use area shall have direct access to a collector or arterial street.
3. Separate ingress and egress shall be provided for recreational coaches when required by the Planning Commission.

Z. In addition to meeting the above requirements and conforming to the other laws of the local jurisdiction, all mobile home parks, and recreational coach parks, shall also conform to requirements set forth in the code of Camp-Trailer Court, Hotel, Motel, and Resort Sanitation Regulations adopted by the Utah State Board of Health, February 21, 1968, and to the Fire Prevention Code, which codes are hereby adopted by reference. Three (3) copies of the codes are filed with the office of the local jurisdiction's Recorder for use of the public and all restrictions, regulations and notations contained therein shall be made a part of this ordinance as fully as though set forth herein. In the event of any conflict between said codes and this chapter, this chapter shall take precedence where its regulations are more strict, and the provisions of the codes shall take precedence where their regulations are more strict.

For all mobile home parks, recreational coach parks and mobile home subdivisions, the Planning Commission shall review the proposed development plan to determine its compliance with all portions of the local general plan. In considering the application, the Planning Commission among other things shall make sure that such development will constitute a residential environment of sustained desirability and the stability and

that it will not adversely affect amenities in the surrounding area. The planning Commission may require changes to be made in the plan and development standards in excess of the minimum standards contained in this chapter, such as walls, buffers and set-backs. Greater amounts of landscaping, or parking space may be imposed as conditions of the approval where determined by the Planning Commission to be necessary to insure that the development will mix harmoniously with contiguous or near-by uses.

#### **27.23.090. Inspection.**

Mobile homes are considered by the local jurisdiction to be less durable and less resistant to deterioration than conventional homes; therefore, all mobile homes which are used for human habitation, whether conforming or non-conforming, and whether located in mobile home parks, in mobile home subdivisions or on bona fide farms or ranches shall be subject to the following special regulations:

A. A Certificate of Compliance is required for all mobile homes within the local jurisdiction whether occupied or awaiting occupancy; and, may be obtained from the local building inspector for a fee of ten (\$10.00) dollars, following an inspection wherein the mobile home is found to meet safety, sanitary and structural standards, and is substantial compared to new or original construction.

B. Each mobile home may be inspected annually, or upon evidence of need, by the local building inspector who may revoke the certificate of Compliance for cause, including, but not limited to, violation of the fire or sanitary codes, substantial deterioration of structure so as to adversely affect the health or safety of the occupants, or deterioration in appearance so as to be unsightly and adversely affect the value of neighboring properties.

C. Upon the revoking of a Certificate of Compliance or a finding of non-compliance, the local building inspector shall order the deficiencies corrected and a Certificate of Compliance obtained within thirty (30) days.

D. If such deficiencies are not corrected, or cannot be corrected, the mobile home shall be ordered vacated and removed from the premises upon which located, and shall not thereafter be used for human habitation within the local jurisdiction unless all deficiencies are corrected and a Certificate of Compliance obtained.

#### **27.23.100. Non-Conforming Units.**

If a non-conforming mobile home is removed from the premises, it cannot thereafter be returned, except that:

A. If such removal was upon order of the building inspector for correction of deficiencies or by decision of the owner for the purpose of correcting deficiencies, the mobile home may be replaced upon the premises upon correction of such deficiencies within sixty (60) days, or

B. A new mobile home may be established on the premises if:

1. Accomplished within sixty (60) days, and

2. The restored or new mobile home is owned by the same owner as the mobile home removed, and,

3. Said mobile home is to be occupied for a continuous period of at least six (6) months by the same occupant(s) as the mobile home removed.

#### **27.23.110. Premises.**

The premises on which any mobile home is located, used or occupied shall be maintained in a clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds, or other unsightly material thereon shall constitute a nuisance and a violation of this chapter, for which the local governing body may direct removal of the mobile home from the premises.

#### **27.23.120. Utilities.**

Every mobile home park, recreational coach park, and mobile home subdivision shall provide underground utility service to every mobile home stand or lot as required by the local jurisdiction's ordinances and as required by the Planning Commission, including but not limited to water, sewer, power and television.

#### **27.23.130. Guarantees.**

A. For mobile home parks and recreational coach parks, adequate and reasonable guarantees must be provided as determined by the Planning Commission for permanent retention of open spaces and for the

maintenance of roadways, storage facilities, service facilities, and landscaping resulting from the application of these regulations. Guarantees may be in the form of a bond, or a mortgage on real estate, in the sum to be determined by the Planning Commission which form must be approved by the local governing body and local attorney.

B. In any case when a mobile home park, or recreational coach park which is not within a mobile home park, is owned by more than one person, the developer shall establish and appoint a park manager. The manager shall be authorized to receive, process, and represent fully the interests of the owners in respect to continuing management and maintenance of the park.

C. Prerequisite to the operation of any mobile home park or recreational coach park in the local jurisdiction, shall be the obtaining of annual business license from the local jurisdiction.

D. In the event a mobile home or recreational coach park is not completed according to approved plans, the annual business license shall be denied, the mobile homes or recreational coaches and associated property and facilities removed, and all services discontinued, before any part of the land within the development planning area may be used for any other purpose, or be subdivided.

#### **27.23.140. Compliance With Other Regulations.**

Any mobile home or recreational coach located in any permitted area shall comply with and conform to all other zoning laws, rules, regulations, and building, plumbing, electrical, fire prevention and all other codes and requirements applicable to a structure or building erected within the zone in which said mobile home or recreational coach is located.

#### **27.23.150. Penalty.**

The violation of any part of this chapter shall constitute a separate offense for each day it continues and shall be punishable as provided in the local ordinances, for misdemeanors. In addition, the local jurisdiction may enjoin by civil action the violation hereof and may remove any mobile home from a location violating the provisions hereof and assess the expense thereof as a cost of the action.

#### **27.23.160. Separability.**

If any section, sub-section, sentence, clause, phrase or a portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

#### **27.23.170. Ordinances Repealed.**

All ordinances or parts of ordinances in conflict with the provisions of this chapter are hereby repealed.